REMARKS

Claims 1-19 are currently active.

The Examiner has objected to the disclosure because of various informalities. The appropriate patent numbers for the associated serial numbers have been introduced into the specification.

The abstract has been shortened to be between 50 and 250 words.

The Examiner has rejected Claims 1-4 and 11-14 as being unpatentable over Bianchini in view of Dempsey. Applicant respectfully traverses this rejection.

It is a black letter law that in order for references to be combined, there must be teachings in the references themselves to combine these teachings. It is respectfully submitted that the system taught by Bianchini and the system taught by Dempsey are so distinct that they cannot be combined, and one skilled in the art would never look to combine any of their teachings.

Referring to Bianchini, there is taught a switch that uses RAID techniques to increase overall switch bandwidth while minimizing individual fabric bandwidth. See column 5, lines 45-50. The system taught by Bianchini formats data into a 12 bit data stream, appends a check word, splits the data stream across the N, non-spare fabrics to the system, generates a parity stripe of width equal to the stripes going to the other fabrics, and sends the N + 1 data streams out to the back plane. This is the basic structure of the system taught by Bianchini.

In contrast, and referring to Dempsey, there is taught a SONET format signal transport system. Nowhere are there RAID techniques taught or used by Dempsey, or is the data split into stripes let alone a parity stripe or the existence of a parity fabric. Dempsey teaches that in operation terminal 20 can transmit OC48 SONET transport signal W11 across working channel 22 to high-speed terminal 110. Likewise, terminal 30 can transport signal W21 across channel 32, terminal 40 can transport signal W 31 across channel 42, and terminal So can transport signal W41 across channel 52 to high-speed terminal 110. High-speed terminal 110 will receive each of the incoming transport signals and will electrically package these signals as one OC192 signal and transport the entire signal W to high-speed terminal 150 across working channel 115.

What is fundamentally different in regard to the manipulation of data taught by Bianchini and the manipulation of data taught by Dempsey is that because stripes of the data

are formed by Bianchini, the synchronization is absolutely critical and they cannot simply be merged to form one larger signal. The operability of the system taught by Bianchini would be lost. There is no teaching or suggestion how the system taught by Bianchini would be modified to be able to somehow or other accomplish this merging which is taught by Dempsey. It would certainly require more than a simple multiplexing, as taught by Bianchini itself in regard to the requirement of an unstriper, aggregator and separator, as taught in column 6, lines 1-25. Accordingly, it is respectfully submitted that Claims 1-4 and 11-14 are not obvious from Bianchini in view of Dempsey.

In view of the foregoing amendments and remarks, it is respectfully requested that the outstanding rejections and objections to this application be reconsidered and withdrawn, and Claims 1-19, now in this application be allowed.

CERTIFICATE OF MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

on 5/17/04

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Respectfully submitted,

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